

The Honorable John H. Chun
United States District Court Judge

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Bianey GARCIA PEREZ, Maria
MARTINEZ CASTRO, J.M.Z., Alexander
MARTINEZ HERNANDEZ, on behalf of
themselves as individuals and on behalf of
others similarly situated,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION
SERVICES; Ur JADDOU, Director, U.S.
Citizenship and Immigration Services;
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; David NEAL,
Director, Executive Office for Immigration
Review,

Defendants.

Case No. 2:22-cv-00806-JHC

**JOINT STATUS REPORT &
STIPULATION AND ORDER**

Note on Calendar: January 11, 2024

PARTIES' JOINT STATUS REPORT AND STIPULATION

Plaintiffs Bianey Garcia Perez; Maria Martinez Castro; J.M.Z.; Alexander Martinez Hernandez; and Defendants U.S. Citizenship and Immigration Services ("USCIS"); Ur Jaddou, Director, USCIS; Executive Office for Immigration Review ("EOIR"); and David L. Neal, Director, EOIR, hereby stipulate to an additional 43-day stay of proceedings as the parties continue to draft a settlement agreement. On May 24, 2023, the parties reached an agreement in principle as to all claims and parties and are working toward finalizing the terms of the settlement agreement.

Plaintiffs and Defendants have previously jointly stipulated to several stays. *See* ECF Nos. 34, 37, 39, 41, 44, 46, 48, 51, 53, 56, 58. Most recently, the parties jointly stipulated to a stay on November 27, 2023. ECF No. 57. On November 29, 2023, this Court granted the parties' stay and ordered the parties to submit a joint status report on January 11, 2024. ECF No. 58. Since that order, the parties have continued to make progress on finalizing a settlement agreement. On January 10, 2024, Defendants provided Plaintiffs with their edits and feedback on the draft settlement agreement and also provided Plaintiffs with a draft of the Class Notice and draft of the parties' Joint Motion for Preliminary Approval of Settlement. Upon receipt of Plaintiffs' initial feedback to the draft of the parties' joint motion, Defendants agreed to revise the draft and will endeavor to provide Plaintiffs with an updated draft on January 19, 2024. In turn, Plaintiffs will endeavor to provide any edits or feedback to the draft settlement agreement, draft Class Notice, and draft Joint Motion for Preliminary Approval of Settlement by January 23, 2024. Further, Plaintiffs have proffered a fee counteroffer under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. Defendants are reviewing Plaintiffs' EAJA fee request and will endeavor to provide Plaintiffs with a response to their fee request by January 19, 2024.

In light of these developments, the parties have agreed to stipulate to a 43-day stay of Defendants' briefing deadlines. Good cause continues to exist for the stipulation because the

complexity of the issues in this case requires additional time and there continues to be a meaningful opportunity to reach a settlement that would conserve judicial resources, as well as those of the parties. The parties will file a final settlement agreement with the Court or seek a further extension, if necessary, by February 23, 2024.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

For the Plaintiffs:

/s/ Matt Adams

Matt Adams

/s/ Aaron Korthuis

Aaron Korthuis

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3 Dated this 11th day of January, 2024.
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7 PURSUANT TO STIPULATION, IT IS SO ORDERED.

8 Dated this 29th day of January.
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11 The Honorable John H. Chun
12 UNITED STATES DISTRICT JUDGE
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